

**COPY**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

T04-0001

STIPULATED AGREEMENT NO. 1066

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("COMMISSION"), the Illinois Central Railroad Company ("COMPANY"), Ashkum Township ("TOWNSHIP"), and the State of Illinois, Department of Transportation ("DEPARTMENT").

**WITNESSETH:**

WHEREAS, it has come to the attention of the Commission through informal correspondence that inquiry should be made into the matter of improving public safety at the crossing of the Company's track with a public highway known as 2800N/TR49A located one mile south of Clifton, Iroquois County, Illinois, designated as crossing AAR/DOT 288 973Y, milepost 70.60-M; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a diagnostic team including a representative of the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost, To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

**DOCKETED**

- (a) The installation of automatic flashing light signals and gates controlled by constant warning time circuitry.

Section 3 The Company has prepared a preliminary estimate of cost to accomplish the proposed improvements, which it may be required to perform. Said estimate is attached as Exhibit B. The Company shall upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost and any required specifications for the proposed improvements for the approval of the Commission and Department.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be twelve (12) months, from the date of Commission Order subsequent to this Agreement.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvements should be:

(a) The cost for the improvements listed in Section 2 is estimated to be \$150,740. The Grade Crossing Protection Fund should pay 85% of the actual installation cost, not to exceed \$128,130. The Township should pay 10% of the actual cost, not to exceed \$15,074. The Company should pay any remaining installation costs, as well as all future operating and maintenance costs. (See Exhibit B)

Section 6 The Township is financially able and willing to bear an equitable portion of the cost for the proposed improvements as may be assigned by the Order and indicates this intent by Resolution attached as Exhibit C.

Section 7 Special Provisions:

Since Company crews will perform the warning device improvements at the 2800N crossing, no flagging or contractor liability insurance will be required for said work.

The Company shall, at six (6) month intervals from the date of Commission Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, a written report stating the progress it has made toward completion of the work herein required. Each progress report shall include ~~the Commission Order number, the Order date, the project completion date as noted in the~~ Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of Company employee responsible for management of the project.

All bills for expenditures authorized for reimbursement from the Grade Crossing Protection

Fund shall be submitted to the Fiscal Control Unit of the Illinois Department of Transportation's Bureau of Local Roads and Streets, Illinois Department of Transportation, Central Bureau of Local Roads and Streets, Room 205, 2300 South Dirksen Parkway, Springfield, Illinois 62764. The Department shall send a copy of all bills to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted no later than twenty-four (24) months from the date of Commission Order subsequent to this Agreement. The Department shall, at the end of the 24<sup>th</sup> month from the Commission Order date, de-obligate all residual funds accountable for installation cost for this project.

Section 8 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 2nd day of December 2003.



Michael E. Stead  
Rail Safety Program Administrator

Attest:



Joseph J. VonDeBur  
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 1066 concerning improvements at the 2800N/TR49A grade crossing of the Illinois Central Railroad Company tracks near Clifton, Iroquois County, Illinois, designated as crossing AAR/DOT 288 973Y, milepost 70.60-M.

Executed by Ashkum Township this 9 day of DECEMBER 2003.

ASHKUM TOWNSHIP

By: Richard Lenz

Attest:

Ruth D. Heideman

RECEIVED  
DEC 12 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

Illinois Commerce Commission Stipulated Agreement No. 1066 concerning improvements at the 2800N/TR49A grade crossing of the Illinois Central Railroad Company tracks near Clifton, Iroquois County, Illinois, designated as crossing AAR/DOT 288 973Y, milepost 70.60-M.

Executed by the Company this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

ILLINOIS CENTRAL RAILROAD COMPANY

By: Paul E. Ladner 12/9/03  
Region Manager Contracts & Administration

Attest:

Cynthia A. Bergmann  
Cynthia A. Bergmann  
Assistant Secretary

APPROVED AS TO FORM	
Materials Management	
Engineering	<u>T.R. King</u>
Accounting	
Law	
EXECUTION	
Law	

Illinois Commerce Commission Stipulated Agreement No. 1066 concerning improvements at the 2800N/TR49A grade crossing of the Illinois Central Railroad Company tracks near Clifton, Iroquois County, Illinois, designated as crossing AAR/DOT 288 973Y, milepost 70.60-M.

Executed by the Department this 7th day of January 2004

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

By: Victor A. Modersone  
Director of Highways

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ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT  
CROSSING DATA FORM**GENERAL INFORMATION:** See Location Sketch

<b>RAILROAD</b>	Illinois Central Railroad Company
<b>USDOT#, MILEPOST</b>	288 973Y, 70.60-M
<b>STREET, CITY, COUNTY</b>	2800N/TR49A, 1 mile south of Clifton, Iroquois County
<b>JURISDICTION (RDWY)</b>	Ashkum Township
<b>LOCATION</b>	Rural, Agricultural
<b>STREET SURFACE</b>	17 foot wide, 2 Lane, 2 Way (East-West), Oil and Chip Roadway

**CROSSING DATA:** Also see Location Sketch for roadway profile and track centers

TRACK	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
Main	Full Depth Timber	33 feet	Fair

**ROADWAY DATA:** See Location Sketch

<b>INTERSECTING ROADS:</b>	US 45 – 103 feet East
<b>TRAFFIC CONTROL</b>	Stop Sign for TR49A traffic at US 45
<b>ADT &amp; SPEED</b>	(Estimated) 70 Vehicles Per Day (Speed not posted)
<b>TRAFFIC TYPE</b>	Passenger, Possible School Busses, Possible Hazardous Materials
<b>ADVANCE WARNING</b>	West Approach Only
<b>PAVEMENT MARKING</b>	None

**RAILROAD DATA:** See Location Sketch

<b>FREIGHT TRAFFIC</b>	32 Per day @ 60 MPH, 3 Switch Movements, Day & Night
<b>PASSENGER TRAFFIC</b>	4 Per day @ 79 MPH
<b>WARNING DEVICES</b>	Reflective Crossbucks

**NOTES:**

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**VISIBILITY STUDY:** See Location Sketch

Train Speed	79	MPH
Roadway Speed (Estimated)	55	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	483	FEET
Along Tracks	811	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	1888	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	
NW	*		*	
SE	*		*	
SW	*		*	

\*Note: Automatic flashing light signals and gates (AFLS&G) eliminate the need to satisfy minimum Site Distance criteria.

**APPROACH GRADES:** See Location Sketch

DIRECTION: WEST			DIRECTION: EAST		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	0	100.0	---
25	99.8	-0.8	25	98.6	-5.6
50	98.4	-5.6	50	96.3	-9.2
100	95.5	-5.8	100	92.8	-7.0

Distance measured from outermost rail.

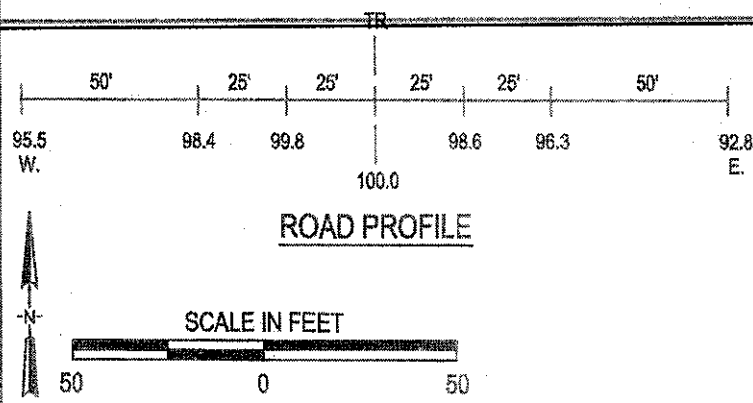
**COMMENTS:**

The existing highway approaches do not comply with 92 Illinois Administrative Code, Part 1535.204. The west approach is within acceptable limits ( $\pm 1\%$ ), and local topography prohibits the improvement of the east approach (US 45 is too close to the crossing to accommodate a grade increase or decrease). Staff recommends a waiver to the highway approach grade requirements of 92 IAC 1535 be granted to Ashkum Township.

**PROPOSED COST DIVISION:**

Grade Crossing Protection Fund ----- 85%  
 Illinois Central RR ----- 5%  
 Ashkum Township ----- 10%





Crossing #: 288973Y  
 Location: Iroquois Co., City of Clifton (N)  
 Lat/Long: 40°54'49" / 87°56'33"  
 Railroad: Illinois Central Railroad Company  
 Street: 2800N/TR49A  
 Railroad Milepost: 70.60-M  
 Crossing Protection: Reflective Crossbucks

ILLINOIS CENTRAL RAILROAD  
ENGINEERING DEPARTMENT  
SIGNALS AND COMMUNICATIONS

Clifton, IL

Est 1007-305

Estimated cost of Signal work to install FLS and Gates at TR 49A.

Gulf Division

Val Sec IL-1

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
=====				
FAPG				
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LANDFILL	1.	LOT @	700.00	700.00
MISC.SIGNAL MATERIAL	1.	L.S. @	400.00	400.00
<u>CROSSING MATERIALS PACKAGE</u>				
GCP3000,80200-114-IPI	1.	EACH @	14731.00	14731.00
GCP3000,80200-114	1.	EACH @	13469.00	13469.00
SERIAL EVENT ANALYZER/REC	1.	EACH @	2035.00	2035.00
RECORDER INTERFACE,80255	1.	EACH @	153.00	153.00
NARROW BAND SHUNT,62775-8621	2.	EACH @	640.00	1280.00
NARROW BAND SHUNT,62775-3497	3.	EACH @	423.00	1269.00
XING CTRLR,91160	1.	EACH @	2300.00	2300.00
BIDIR SIMULATOR,62664-F	4.	EACH @	871.00	3484.00
PSO BATTERY CHOKE,7A360	3.	EACH @	248.00	744.00
BATTERY CHOKE (SHELF),8A065A	1.	EACH @	208.00	208.00
ADJUSTABLE INDUCTOR,8A398-6	2.	EACH @	392.00	784.00
RELAY,ST,500 OHM,400004	6.	EACH @	566.00	3396.00
RECTIFIER,NRS15110,20A	1.	EACH @	455.00	455.00
RECTIFIER,NRS18120,40A	1.	EACH @	695.00	695.00
SURGE PROTECTION	1.	LOT @	850.00	850.00
SWING RACK,T12757	1.	EACH @	510.00	510.00
EQUIPMENT RACK,23"	1.	EACH @	237.00	237.00
FLX-2000 & GATE ASSY	1.	EACH @	6995.00	6995.00
FLX-2000 & GATE W/1 SIDELITE	1.	EACH @	7745.00	7745.00
ARM,EZ GATE,16-24'	2.	EACH @	721.00	1442.00
GATEKEEPER,SK-1000	2.	EACH @	1970.00	3940.00
BELL,ELECTRONIC	1.	EACH @	234.00	234.00
BATTERY,GNB 265AH	13.	EACH @	217.00	2821.00
FOUNDATION,S2 4FT-6IN HI	2.	EACH @	399.00	798.00
SHUNT BURIAL BOX	5.	EACH @	220.00	1100.00
PRE-WIRED ALUM HOUSE,6X6'	1.	EACH @	10700.00	10700.00
WIRE,2c/6,T10456	1000.	FEET @	0.40	400.00
CABLE,3c/6,T10458	400.	FEET @	1.92	768.00
CABLE,7c/6,9c/14,T12481	300.	FEET @	2.77	831.00

Clifton, IL

Est 1007-305

5 MAN GANG	8. DAY @	1100.00	8800.00
PRELIMINARY ENGINEERING	1. L.S. @	6500.00	6500.00
CONSTRUCTION ENGINEERING	1. L.S. @	275.00	275.00

SUMMARY  
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MATERIAL	85474.00 *
HANDLING 0.0610	5213.91
CROSSING SYSTEM HANDLING	3000.00
CROSSING SYSTEM WIRING	6000.00
LABOR	8800.00 *
ENGINEERING	6775.00
ACCOUNTING	200.00
COMPOSITE ADD.-DIRECT LABOR 1.0706	9421.28
COMPOSITE ADD.-ENG 1.0088 -ACCT 1.0706	7048.74
SUBSISTENCE	2000.00
RENTAL OF EQUIPMENT	1600.00
POWER TAP	1500.00
CONTINGENCIES	13707.07
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TOTAL COST	150740.00

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Exhibit C

ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT NO. 1066

Date 12/09/03

The BOARD OF ASHKUM TWP.  
(Board or Council of Township)

meeting on 12/09/03, Resolved to authorize RICHARD LIEVEQUE  
(Name, Office)  
TWP. COMM.

to act as its designated agent in the processing of this Stipulated Agreement and that Ashkum Township is financially willing and able to bear the cost for the proposed improvements as may be assigned to it according to Section 5 of this Agreement.

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